

REMARKS

In view of the above amendments, Applicant believes the pending application is in condition for allowance.

Claims 1, 2, 4, 6-12, 14-19, 21-26 and 28-31 are now present in this application. Claims 1, 4, 10, 11, 14, 15, 21, 22, 23, 28 and 29 are independent.

In this Amendment, claims 5, 20 and 27 are canceled, claims 30 and 31 are added, and claims 1, 4, 6, 10, 11, 14, 15, 23, 28 and 29 are amended. Reconsideration of this application, as amended, is respectfully requested.

Reasons for Withdrawal of Finality and Entry Of Amendment

Applicant respectfully submits that the rejection of claims 23-26 and 29 appears to be based on a combination of Carmer, Jr. et al. (of record) and a secondary "Buckshaw" reference (not of record) discussed in the body of the rejection as providing a necessary teaching which is apparently lacking in Carmer, Jr. et al. Applicant has no way of determining what is or is not disclosed or taught by the Buckshaw reference, since the Buckshaw reference has never been made of record. Furthermore, claim 29 recites similar language as that set forth in claims 4 and 14, which were rejected as being unpatentable over the Admitted Prior Art in view of Carmer, Jr. et al., and further in view of Koteskey. However this combination of references was not set forth in rejecting claim 29 and the rejection of Carmer, Jr. et al. and Bucshaw did not address the limitations of claim 29. Accordingly, Applicant respectfully submits that the rejection is improper, and the finality of the rejection must be withdrawn.

In addition, Applicant submits that the amendments to the claims by this Amendment do not raise any new issues, and should be entered by the Examiner, since they place the application into condition for allowance, based on the Examiner's indication of allowable subject matter in the First Office Action, the Final Office Action, and a telephone interview conducted by the Examiner as described below.

Examiner Interview

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative during the telephone interview, which was conducted on May 11, 2007. An Examiner Interview Summary has not been made of record at this time. During the interview, Applicant's representative discussed the rejections of claims 4, 14, and 29. During the interview, proposed changes to the claims were discussed to overcome the prior art rejections of record. The claims have been amended in the manner discussed during the interview, and are believed to place the application into condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1, 2, 7, 8, 11, 12, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Admitted Prior Art in view of Carmer, Jr. et al. (US 2,530,812). Further, claims 4 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Admitted Prior Art in view of Carmer, Jr. et al., and further in view of Koteskey. Finally, claims 23-26 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable solely over Carmer, Jr. et al. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

At the outset, regarding the rejection of claims 23-26 and 29, the rejection as stated by the Examiner is based solely on Carmer, Jr. et al. However, the body of the rejection refers to a secondary "Buckshaw" reference as providing a necessary teaching that is apparently lacking in Carmer, Jr. et al. Applicant notes that the Buckshaw reference has never been made of record, nor has a patent number been given. Accordingly, Applicant has no way of determining what is or is not disclosed or taught by Buckshaw. As such, Applicant respectfully submits that the rejection is improper, and the finality of the rejection must be withdrawn.

With regard to the rejection of independent claims 1, 11 and 23, each of these claims has been amended to include the limitations of allowable dependent claims (discussed more fully

below), and therefore the rejections under 35 U.S.C. § 103(a) have been overcome and are moot. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

Regarding dependent claims 4 and 14, these claims have been rewritten in independent form, but excluding limitations added to independent claims 1 and 11 by the previous Amendment since the Examiner has not considered the limitations to impart patentability, and further amended to incorporate the language discussed during the interview. Therefore, it is believed that these claims define over the art of record and are therefore allowable. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

Regarding dependent 29, this claim has been rewritten in independent form and further amended to incorporate the language discussed during the interview. Therefore, it is believed that these claims define over the art of record and are therefore allowable. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

With regard to dependent claims 2, 7, 8, 12, 17, 18, and 24-26, Applicant submits that claims 2, 4, 7, 8, 12, 14, 17, 18, 24-26 and 29 depend, either directly or indirectly, from independent claims 1, 11 or 23 which are allowable for the reasons set forth above, and therefore claims 2, 4, 7, 8, 12, 14, 17, 18, 24-26 and 29 are allowable based on their dependence from claim 1, 11 or 23. Reconsideration and allowance thereof are respectfully requested.

Allowed and Allowable Subject Matter

The Examiner states that claims 21 and 22 are allowed, and that claims 5, 6, 9, 10, 15, 16, 19, 20, 27 and 28 would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the early indication of allowable subject matter in this application.

Independent claim 1 has been amended to remove the limitations added by the previous Amendment, since the Examiner has not considered the limitations to impart patentability to independent claim 1, and has been amended to include the limitations of objected-to allowable claim 5, therefore placing independent claim 1 into condition for allowance, along with dependent claims 2, 4 and 6-9. This should not raise any new issues because claim 5 was

previously indicated as being allowable in the First Office Action, without the limitations added by the previous Amendment.

Independent claim 11 has been amended to remove the limitations added by the previous Amendment, since the Examiner has not considered the limitations to impart patentability to independent claim 11, and has been amended to include the limitations of objected-to allowable claim 20, therefore placing independent claim 11 into condition for allowance, along with dependent claims 12, 14 and 17-19. This should not raise any new issues because claim 20 was previously indicated as being allowable in the First Office Action, without the limitations added by the previous Amendment.

Independent claim 23 has been amended to include the limitations of objected-to allowable claim 27, therefore placing independent claim 23 into condition for allowance, along with dependent claims 24-26 and 29.

Objected-to claims 10 and 15 have been written into independent form (but without the limitations which were added by the previous Amendment to independent claims 1 and 11), and objected-to claim 28 has been written into independent form. Therefore, claims 10, 15 and 28, along with dependent claim 16, are in condition for allowance.

Claims Added

Dependent claims 30 and 31 have been added, which recite the limitations which were added by the previous Amendment to independent claims 1 and 11, and which have now been removed from independent claim 1 and 11, since the Examiner has not considered these limitations to impart patentability to the independent claims. Applicant submits that presenting these limitations now as dependent claims does not present any new issues not previously considered by the Examiner.

Consideration and allowance of claims 30 and 31 are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently

Application No. 10/824,366
Amendment filed May 15, 2007
Reply to Final Office Action dated November 16, 2007

Docket No.:0465-1167PUS1
Page 14

outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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